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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/616,809	07/14/2000	James Richard Wason	13679(END9-2000-0080US1)	6597

7590 06/29/2005

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EXAMINER
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CAMPBELL, JOSHUA D

ART UNIT	PAPER NUMBER
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2178

DATE MAILED: 06/29/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/616,809

Applicant(s)

WASON, JAMES RICHARD

Examiner

Joshua D Campbell

Art Unit

2179

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 25 April 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-16 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-16 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

### **DETAILED ACTION**

1. This action is responsive to communications: Request for Continued Examination filed on 04/25/2005.
2. Claims 1-16 are pending in this case. Claims 1, 6, and 10 are independent claims. Claims 1, 4, 6, 10, and 16 have been amended.
3. The rejection of claims 1, 6, and 10 under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention has been withdrawn due to amendments.
4. The rejection of claims 1, 3, 6, 8, 10, and 12 under 35 U.S.C. 102(e) as being anticipated by Inala et al. (hereinafter Inala, US Patent Number 6,199,077, filed on June 1, 1999) has been withdrawn due to amendments, a new grounds of rejection is presented below.

### ***Claim Rejections - 35 USC § 103***

5. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.
6. Claims 1-16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Inala et al. (hereinafter Inala, US Patent Number 6,199,077, filed on June 1, 1999) in view of Kikinis (US Patent Application Publication Number 2002/0049833, filed on May 4, 1998).

**Regarding independent claim 1,** Inala discloses a method in which a template is formed that contains literal fragments of the text file (column 11, lines 35-column 14, line 65 of Inala). Inala also discloses that a macro (script) pointer (reference) is embedded into the template for a macro, and when that pointer is reached during processing, the macro is invoked and it maps data from the text file to the application (column 11, lines 35-column 14, line 65 of Inala). The template is then used to generate a segment of an output file (column 11, lines 35-column 14, line 65 of Inala). Inala does not disclose a method in which a macro derives a template name from the invoking template in order to invoke the next template. However, Kikinis discloses a method in which a number of templates may be used to on a set of information, which is contained in the parameters of a template and executed by the application during processing (Page 15, paragraphs 0194-0196). It would have been obvious to one of ordinary skill in the art at the time the invention was made to have combined the methods of Inala with methods of Kikinis it would have allowed for up-to-date data to be catered to any users system.

**Regarding dependent claim 2,** Inala does not disclose a method in which a segment of the text file is read in and used to initiate update processing. However, Kikinis discloses a method in which a macro (script) found in the template is processed and causes the application to load real-time (updated) data from web pages to start the filling of a template (Page 2, paragraph 0017-0020 of Kikinis). It would have been obvious to one of ordinary skill in the art at the time the invention was made to have

combined the methods of Inala with methods of Kikinis it would have allowed for up-to-date data to be catered to any users system.

**Regarding dependent claim 3,** Inala discloses a method in which the macro gets data from the application and formats it into a text file (column 11, lines 35-column 14, line 65 of Inala).

**Regarding dependent claim 4,** Inala does not disclose a method in which a macro derives a template name from the invoking template in order to invoke the next template. However, Kikinis discloses a method in which a number of templates may be used to on a set of information, which is contained in the parameters of a template and executed by the application during processing (Page 15, paragraphs 0194-0196). It would have been obvious to one of ordinary skill in the art at the time the invention was made to have combined the methods of Inala with methods of Kikinis it would have allowed for up-to-date data to be catered to any users system.

**Regarding dependent claim 5,** Inala does not disclose a method in which an interface controller is provided to prevent structure clashes by placing text into appropriate places in a complex object structure. However, Kikinis discloses a method in which an application operates based on templates, which include details about the client's viewing device and parameters, contained within a template, regarding the client that acts as an interface controller in order to correctly provide a viewable document to the client (Page 2, paragraph 0013 of Kikinis). It would have been obvious to one of ordinary skill in the art at the time the invention was made to have combined the

methods of Inala with methods of Kikinis it would have allowed for up-to-date data to be catered to any users system.

**Regarding dependent claim 14**, Inala does not disclose a method in which a macro derives a template name from the invoking template in order to invoke the next template. However, Kikinis discloses a method in which a number of templates may be used to on a set of information, which is contained in the parameters of a template and executed by the application during processing (Page 15, paragraphs 0194-0196). It would have been obvious to one of ordinary skill in the art at the time the invention was made to have combined the methods of Inala with methods of Kikinis it would have allowed for up-to-date data to be catered to any users system.

**Regarding independent claim 6 and dependent claims 7-9 and 15**, the claims incorporate substantially similar subject matter as claim 1-3, 5, and 14. Thus, the claims are rejected along the same rationale as claim 1-3, 5, and 14.

**Regarding independent claim 10 and dependent claim 11-13 and 16**, the claims incorporate substantially similar subject matter as claim 1-3, 5, and 14. Thus, the claims are rejected along the same rationale as claim 1-3, 5, and 14.

### ***Response to Arguments***

7. Applicant's arguments filed 04/25/2005 have been fully considered but they are not persuasive.

Regarding the arguments on pages 8-11, regarding the templates of the invention versus the templates of the prior art, the examiner feels that the rejection as

presented is sufficient. The templates disclosed in Inala are used to generate a segment of an output file (column 13, 43-54 of Inala), these templates include macros (scripts) (column 13, lines 43-54 of Inala) that are accessed by embedded pointers and literal text fragments from the files they will process (column 13, lines 27-29 of Inala, example: "Items Ordered:"). Thus, the prior art teaches the use of templates as it is presented in the claims.

Regarding the arguments on pages 10-12, regarding the use of macros within the templates and how the macros invoke more templates to further process the text file, the examiner feels that the rejection as presented is sufficient. Inala discloses the use of templates as claims (column 13, 43-54 of Inala) and the combination of Inala and Kikinis shows that it would have been obvious to allow the macros to invoke more templates for processing the file (Page 2, paragraphs 0017-0020). Examiner agrees that Inala does not disclose the use of the macro class to call more templates and Kikinis does not disclose templates with all of the functionality of the claimed invention, however the combination of their teachings make up for these deficiencies and thus would render the invention obvious to one of ordinary skill in the art at the time the invention was made.


### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Joshua D Campbell whose telephone number is (571) 272-4133. The examiner can normally be reached on M-F (8:00 AM - 4:30 PM).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Heather Herndon can be reached on (571) 272-4136. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

JDC  
June 22, 2005

  
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